UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/510,662	10/07/2004	Mauri Kangas	4208-4220	6135

7590   07/03/2008

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EXAMINER
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ART UNIT	PAPER NUMBER
2134	

MAIL DATE	DELIVERY MODE
07/03/2008	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/510,662	KANGAS, MAURI
Office Action Summary	Examiner	Art Unit	
	YONAS BAYOU	2134	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS,
WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>11 March 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-28</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-28</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>07 October 2004</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☒ Some * c)☐ None of:

      1.☒ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
         application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to applicant's response filed on 03/11/2008.

2.   Claims 1-28 are pending.

3.   Claims 1-28 are amended.

4.   Applicant's arguments have been fully considered but they are not persuasive.

5.   When responding to the Office action, Applicant is advised to clearly point out the
patentable novelty the claims present in view of the state of the art disclosed by the
reference(s) cited or the objection made. A showing of how the amendments avoid such
references or objections must also be present. See 37 C.F.R. 1.111(c).

Response to Arguments

1.   Applicant, on page 9, lines 8-9, of the remarks, argues in the method of claim 1,
"Bacon does not teach alternately passing data from each data stream to a
descrambling device."

         Examiner respectfully disagrees and asserts that Bacon discloses that referring
to fig. 3, the Multiplexed MPEG Data' signal, with the recombined data of the source
associated packets, is transmitted back to the demultiplexer 227 of the host terminal 14.
The demultiplexer 227 uses the Stream Select signal 430 to separate the Multiplexed
MPEG Data' signal back into post-decryption tuner associated signals MPEG Data 1'

and MPEG Data 2', with associated MPEG Start signals. The MPEG Data 1' and MPEG

Data 2' signals are related to the initial MPEG Data 1 and MPEG Data 2 signals. The

host terminal 14 uses the decrypted signals to cause the display of programming

associated with a fist tuner, the MPEG Data 1' signal, as a primary picture and the

programming associated with a second tuner, the MPEG Data 2' signal, as a secondary

picture for a PIP function. Those skilled in the art will appreciate that the order of the

PIP pictures can be reversed and that the separately identified signaling can be used for

other purposes such as recording one program while continuing to view another

program [paragraphs 25-26 and figs. 2-3].

2.   Applicant, on page 9, line 13 – page 10, line 2, of the remarks, argues in the

method of claim 25, "Bacon does not teach clocking input data into the first and second

input buffers on one of the rising and falling edge of the clocking signal respectively and

to clocking data out of the output buffers on one of the rising and falling edge of the

clock signal respectively."

        Examiner respectfully disagrees and asserts that Bacon discloses the MPEG

Start signal 420 is associated with the MPEG clocks signals of the MPEG Data 1 and

MPEG Data 2 data streams. Referring again to FIG. 3, the POD module 310 receives

the Data stream signal 410, the MPEG Clock signal 420, and a Stream Select signal

430 in the POD Demultiplexer 330 [paragraphs 25-26 and figs. 2-4].

3.   Examiner, however, in light of the above submission maintains the previous

rejections while considering the amendments to the claims as follows:

Claim Rejections - 35 USC § 102

1.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Bacon

et al., Pub. No.: 2002/0101991 A1 (hereinafter Bacon).

        Referring to claims 1, 2, 13, 14, 24, 27 and 28, Bacon teaches a method,

comprising:

        receiving at least a first and a second data stream, each data stream comprising

a plurality of packets and each packet having a header including a packet identifier

[paragraphs 25 and 33; and fig. 4],

alternately passing data from each data stream to a descrambling device
[paragraph 26, lines 1-10 and fig. 3; descriptor 340/345 corresponding to de-
scrambling device],

receiving descrambled packets from the descrambling device **[paragraph 26,
lines 10-23 and fig. 3]** and

alternately passing data to at least a first and a second output, so restoring the
first and second data streams in a descrambled form **[paragraph 26, lines 27-40 and
figs. 2-3].**

Referring to claims 3, 6, 15, 16 and 18, Bacon teaches the method of managing
data presented to and received from a de-scrambling device, wherein at least one
packet identifier of the packets of one of the data streams is modified before being
passed to the descrambling device **[paragraph 20, lines 29-31 and paragraph 22]**.

Referring to claims 5 and 17, Bacon teaches the method of managing data
presented to and received from a de-scrambling device, wherein the data streams
include program specific information, wherein the program specific information is read
from the data streams prior to passing packets to the descrambling device **[paragraphs
3-6]**.

Referring to claims 7 and 19, Bacon teaches the method of managing data presented to and received from a de-scrambling device, wherein the interface with the descrambling device conforms to European Standard EN50221**[paragraph 5].**

Referring to claims 8 and 21, Bacon teaches the method of managing data presented to and received from a de-scrambling device, wherein some of the packets from one or more data streams bypass the descrambling device **[paragraph 26, lines 10-23]**.

Referring to claims 9, 10, 22 and 23, Bacon teaches the method of managing data presented to and received from a de-scrambling device, wherein the packets from first and second data streams are passed to the descrambling device on one of the rising or falling edges of a clock signal respectively **[paragraph 13, lines 27-29 and fig. 4]**.

Referring to claims 11, 12, 20 and 26, Bacon teaches the method of managing data presented to and received from a descrambling device, wherein the data streams are digital video broadcasting transport streams **[paragraph 16]**.

Referring to claim 25, Bacon teaches the method of managing data presented to and received from a descrambling device, a descrambling device comprising: an input configured to receive a clock signal, first and second input buffers, a descrambling module and first and second output buffers, wherein the apparatus is configured to clock input data into the first and second input buffers on one of the rising and falling edge of the clock signal respectively and to clock data out of the output buffers on one of the rising and falling edge of the clock signal respectively **[paragraph 25 and fig. 4]**.

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2.   Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bacon et al., Pub. No.: 2002/0101991 A1 in view of Min, Patent No. 7,088,732 B2.

Referring to claim 4, Bacon teaches a method of managing data presented to and received from a descrambling device (see claim 1 above). Bacon further teaches receiving at least a first and a second data stream, each data stream comprising a plurality of packets and each packet having a header including a packet identifier

[paragraphs 25 and 33; and fig. 4]. Bacon does not appear to explicitly teach

managing data prior to passing packets to the descrambling device the packet

identifiers of the data streams are compared with each other. However, Min teaches a

synchronous signal detecting and PID extracting unit 210 extracts the 13-bit PID of a

current received packet and stores the 13-bit PID. A PID storing unit 220 stores 32 PIDs

which a system demultiplexer may receive. A comparing unit 230 reads out the 32 PIDs

from the PID storing unit 220 one by one and sequentially compares the PIDs which are

extracted by the synchronous signal detecting and PID extracting unit 210 to the read

out PIDs. A demultiplexer (DEMUX), in a MPEG-2 system, including the synchronous

signal detecting and PID extracting unit 210, the PID storing unit 220, the comparing

unit 230 and a transport packet and packetized elementary stream (PES) packet parser

240 determines kinds of data, such as audio, video and additional data of one program,

and processes each type of the data. At this time, packets including information of

audio, video and/or additional data which belong to different (e.g., non-tuned) programs

are dropped **[column 1, lines 44-61 and fig. 2]**. Bacon and Min are analogous art

because both teach comparing PIDs.

At the time of the invention, it would have been obvious to one of ordinary skill in

the art to modify the method of Bacon to include comparing the PIDs which are

extracted by the synchronous signal detecting and PID extracting unit 210 to the read

out PIDs of Min because in the comparing unit, if the PID of the current received packet

and any one of the loaded PIDs match each other, a PID match signal is generated in

order to accept the packet. After generating the PID match signal, the received packet is

demultiplexed and a new packet of 188 bytes is received for processing, please see

KSR International Co. v. Teleflex Inc., 550 U.S-, 82 USPQ2d 1385 (2007) for further

interpretation.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time

policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to YONAS BAYOU whose telephone number is (571)272-

7610. The examiner can normally be reached on m-f,7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Yonas Bayou/

Examiner, Art Unit 2134

06/28/2008

/Kambiz Zand/
Supervisory Patent Examiner, Art Unit 2134